



Ref.: SCBD/SPS/DC/VN/JS/DM/86220

27 January 2017

NOTIFICATION

Submission of views and information regarding the Programme of Work on Article 8(j) and related provisions

Dear Madam/Sir,

At its thirteenth meeting, the Conference of the Parties to the Convention on Biological Diversity indicated that the Working Group on Article 8(j) and related provisions shall meet prior to the fourteenth meeting of the Conference of the Parties¹ and adopted a number of decisions containing requests to the Working Group.

The purpose of this notification is to invite Parties, other Governments, international organizations, indigenous peoples' and local communities' organizations, non-governmental organizations and other relevant organizations to submit views and information on various matters, in order to allow the timely preparation of documentation for a number of the agenda items, to be considered by the tenth meeting of the Working Group, as further elaborated below. A notification concerning the dates and the provisional agenda will be circulated in due course.

1. Rutzolijirisaxik Voluntary Guidelines for the Repatriation of Traditional Knowledge of Indigenous Peoples and Local Communities Relevant for the Conservation and Sustainable Use of Biological Diversity

The Conference of the Parties took note of the progress made in the development of the guidelines, annexing draft elements of the guidelines to its decision². The Working Group is requested to complete a draft of these guidelines for consideration and adoption by the Conference of the Parties at its fourteenth meeting.

Parties, other Governments, relevant organizations³, indigenous peoples' and local communities, and stakeholders interested or involved in repatriation of traditional knowledge are invited to provide information on ***good practices and actions undertaken at various levels, including through community-to-community exchanges, to repatriate, receive and restore traditional knowledge relevant for the conservation and sustainable use of biological diversity.*** The information will be compiled and used as an input for the preparation of a revised draft of the guidelines for the consideration of the Working Group.

2. Glossary of key terms and concepts of relevant key terms and concepts to be used within the context of Article 8(j) and related provisions,

With a view to allowing Parties, other Governments and relevant organizations to ensure the full and effective participation of indigenous peoples and local communities in considering the proposed

¹ Refer Decision XIII/32, Budget for the integrated programme of work of the Secretariat.

² Decision XIII/19 D.

³ Concerning repatriation, relevant organizations may include entities such as museums, universities, herbaria and botanical and zoological gardens, data-bases, registers, gene-banks, libraries, archives and information services, public or private collections and other entities storing or housing traditional knowledge and related information.

To: CBD, TK Focal Points, indigenous peoples and local community organizations, NGOs, IGOs

glossary of key terms and concepts, the Conference of the Parties recommended further consideration of the glossary by the Working Group.⁴ Accordingly, and as requested, the Executive Secretary is making the draft glossary available for peer review on the Convention's website.⁵ Parties, other Governments, relevant organizations and indigenous peoples and local communities are invited to provide comments on the guidelines using the template available at the same web page.

3. *Follow-up regarding Tasks 7, 10 and 12 of the Programme of Work for Article 8(j) and related provisions*

In light of the adoption of the *Mo'otz kuxtal*⁶ *Voluntary Guidelines* for Traditional Knowledge,⁷

Parties, other Governments, relevant organizations and indigenous peoples and local communities are invited to provide the following information which will be compiled by the Executive Secretary and made available to the Working Group in order to contribute to the finalization of Tasks 7 and 12 of the revised multi-year programme of work on Article 8(j) and related provisions, as appropriate⁸:

- (i) Views concerning *measures to address publicly available traditional knowledge*; and
- (ii) Views concerning *best practices to implement "prior and informed consent", "free, prior and informed consent" or "approval and involvement"*

Additionally, further to the mandate established by the Conference of the Parties at its twelfth meeting⁹ the Working Group may consider Phase II of its work regarding Tasks 7, 10 and 12 of its Programme of Work. Accordingly, Parties and observers are invited to submit views concerning *advancement of the identification of the obligations of countries of origin, as well as Parties and Governments where such knowledge, innovations and practices are used*.

4. *Resource Mobilization: Collective Actions of Indigenous Peoples and Local Communities and Safeguards in biodiversity financing mechanisms*

In its decision on resource mobilization,¹⁰ the Conference of the Parties welcomed the guiding principles on assessing the contribution of collective action by indigenous peoples and local communities, and requested the Executive Secretary to develop elements of methodological guidance for identifying, monitoring, and assessing the contribution of indigenous peoples and local communities to the achievement of the Strategic Plan for Biodiversity 2011-2020 and the Aichi Biodiversity Targets for the consideration of the Working Group. In this context, Parties, other Governments, relevant organizations and indigenous peoples and local communities are invited to submit *information related to pilot activities on assessing the contribution of indigenous peoples and local communities* through the financial reporting framework, and other relevant sources, for compilation and analysis by the Executive Secretary, in order to develop the elements of methodological guidance.¹¹

The Executive Secretary was also requested to compile and analyze information on safeguards in biodiversity financing mechanisms for the consideration of the Working Group. In this context, information is requested, *including good practices or lessons learned, on how*, in accordance with paragraph 16 in decision XII/3, *Parties, other Governments, international organizations, business organizations and other stakeholders take the voluntary guidelines on safeguards in biodiversity*

⁴ UNEP/CBD/COP/13/17, annex I "A Glossary of relevant key terms and concepts to be used within the context of Article 8(j) and related provisions".

⁵ <https://www.cbd.int/wg8j-10/review/>.

⁶ Meaning "roots of life" in the Maya language.

⁷ Decision XIII/18 (paragraph 1).

⁸ Decision XIII/18 (paragraphs 7 and 8).

⁹ Decision XII/12 D, paragraph 2,

¹⁰ Decision XIII/20. See in particular paragraphs 19, 21, 26 and 27.

¹¹ An additional notification on information to be provided through the financial reporting framework will be issued in due course.

financing mechanisms into account when selecting, designing and implementing biodiversity financing mechanisms.

5. *Integration of Article 8(j) and provisions related to indigenous peoples and local communities in the work of the Convention and its Protocols*

As requested in decision XIII/26, the Executive Secretary is inviting Parties, other Governments and representatives to provide views on possible ways and instruments for ***achieving full integration of Article 8(j) and provisions related to indigenous peoples and local communities in the work of the Convention*** and its Protocols, with full and effective participation of indigenous peoples and local communities and aiming at enhancing efficiencies, coherence and coordination. The Working Group is expected to consider this information and make recommendations to the Subsidiary Body on Implementation.

6. *In-depth Dialogue*

In order to prepare a suitable background document to provide a context for the in-depth dialogue to be held at the tenth meeting of the Working Group on Article 8(j), the Executive Secretary takes this opportunity to request views and information on the topic of the in-depth dialogue which is ***Contribution of the traditional knowledge, innovations and practices of indigenous peoples and local communities to the implementation of the 2030 Agenda for Sustainable Development with particular emphasis on conservation and sustainable use of biodiversity.***¹²

Timeframe for contributions:

In order to facilitate the timely preparation of documentation for the tenth meeting of the Working Group, Parties, other Governments, indigenous peoples and local communities, and relevant organizations are invited to submit their contributions on the above-mentioned issues, as soon as possible and no later than **31 March 2017**.

Please note that all submissions should be provided, preferably electronically, to secretariat@cbd.int, noting (as referred to above) that a template for the peer review process for the Glossary is provided on the Convention's website.

National Focal Point for Article 8(j) and related provisions:

Additionally, Parties are reminded of decision X/40, B, paragraph 7, in which the Conference of the Parties invited Parties to consider designating national focal points for Article 8(j) and related provisions to facilitate communications with indigenous and local community organizations and to promote the effective development and implementation of the programme of work on Article 8(j) and related provisions.

Parties that have not already done so are therefore invited to designate national focal points for Article 8 (j) and related provisions, and to provide the contact information of the focal points to the Secretariat for inclusion in the list of national focal points on the web-site of the Convention,¹³ so that networking, communication and capacity building can be facilitated.

I thank you in advance for your cooperation and for your continued support to the work of the Convention.

Please accept, Madam/Sir, the assurances of my highest consideration.

Braulio Ferreira de Souza Dias
Executive Secretary

¹² Decision XIII/19 A.

¹³ To date, 35 Parties have nominated NFPs for Traditional Knowledge, refer to: <https://www.cbd.int/doc/lists/nfp-cbd-tk.pdf>.